

## Remarks

### *-Amendments to the Claims*

Each of the independent claims to this application, namely claims 1, 8, and 15 [and thus all claims on file] have been amended to expressly recite that the manner of coupling of each wall section is a releasable coupled connection, to permit releasable interlocked engagement of the individual wall segments together to form a flexible retainer wall. Claims 1-14 further each expressly recite that each wall segment is a discrete wall segment .

Support for such added limitation to the claims appears *inter alia* in the disclosure, in each of Figures 3-6 inclusive showing a "mortis & tenon" arrangement (Fig. 6 and p. 6, line 28-p. 7, line 1-5, and p. 12, line 1-5) which permits releasable coupling of the individual wall segments together , a spigot (mating dowel) type arrangement (Fig. 5 and p. 11, lines 19-30) which likewise permits releasable coupling of such wall segments, or alternatively an insertable pin and hinge arrangement ( Figs. 3 & 4 and p10, lines 1-10) which likewise permits releasable coupling of individual wall segments together.

The Examiner's objection to previous claims 1-20 on file , namely claims 1, 3, 4 ,7, 8, 11, 14, 15, 7, 18 & 20 in view of US '338 to Klingberg, claims 5, 12, & 19 in view of Klingberg considered with US Des. ' 652 to Rimback , and claims 2, 6, 9, 13 & 16 in view of Klingberg considered with US Des. '494 to Novak, has been duly noted.

Insofar as any objection may still be said to remain to the claims as now amended in view of the 3 references cited by the Examiner, the inventor makes the following comments and observations.

Importantly, with regard to the main cited reference to Klingberg, nowhere does Klingberg disclose or suggest, either alone or in combination with Rimberg or Novak, the now-recited feature of "...a *plurality of wall segments, each having releasable coupling means situate at opposed ends thereof to permit releasable*

*interlocked coupling of each wall segments together*" as now recited in all of the claims of the subject application.

Instead, all that Klingberg teaches is an integral *one-piece* integrally formed driveway edging, molded from a suitable plastic (col 1, line 60 and col 3, line 38-40), comprising a number of blocks 11 (coil 2, line 51-53) which are all integrally formed together by what is referred to as hinge means 12 to form a one-piece member. The "hinge means 12" of Klingberg, as shown in Figs. 2 & 3, is merely a thin (plastic) web joining the blocks 11 together to form a continuous driveway edging.

Disadvantageously, as seen from Klingberg, due to lacking the releasable coupling feature of the present invention, the integral driveway edging of Klingberg must presumably be cut (from a roll?) to the desired length by cutting through the plastic thereof. There is nothing whatsoever in Klingberg which teaches or suggests a substantive retainer wall formed of discrete wall segments each adapted to be releasibly coupled together at their respective ends to form a retainer wall of the desired length, thereby eliminating the need for any cutting to size.

The remaining 2 references cited by the examiner, namely US. Des. '652 to Rimback and US Des. 276,494 to Novak et al, contain nothing that would, either alone or in combination with Klingberg, suggest or point to this additional structural limitation nor the important advantage realized thereby.

In this regard De. '652 to Rimback entitled "Landscape Timber Connecting System" merely shows a pair of elements which appear to butt respective ends of timbers, which have a connecting pin therebetween. There is nothing in this patent to teach, with Klingberg, the feature of wall segments releasibly coupleable to one another, so as to form a retainer wall.

Likewise, US '494 to Novak et al simply teaches a single plastic landscape edging unit, comprising a number of cylindrical elongate elements. Nowhere does Novak, even with Klingberg, suggest or point to the inventive feature recited in the claims as amended, namely the feature of a plurality of releasibly coupleable wall

segments adapted to be coupled together for forming a retainer wall, with the above advantages resulting therefrom.

In view of the aforesaid particular limitations now recited in each of the claims as amended hereby, it is respectfully submitted the amended claims are clearly distinguishable and patentable over the cited references.

*-Single Amendment to the Disclosure*

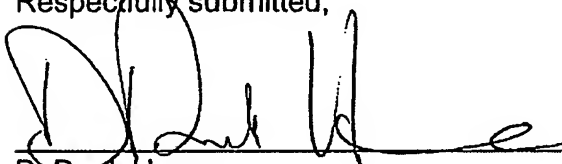
The disclosure has been amended to correct a single typographical error appearing on page 6 thereof.

Favourable reconsideration of this application in light of the amendments to the claims and the submissions made herein, as well as to the disclosure, is respectfully requested.

In view of the above amendments and remarks, it is believed that this application is now in condition for allowance, and a Notice thereof is respectfully requested.

Applicant's undersigned attorney D. Doak Horne, Reg. No. 33,105 may be reached at (403) 298-1994. All correspondence should continue to be directed to the address given below.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'D. Doak Horne', written over a horizontal line.

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### **Amendment to the Disclosure**

Replace disclosure page 6 with new disclosure page 6, wherein the following typographical error at line 25 thereof has been corrected as follows:

Line 25

"...if desired **by** a curvilinear profile" has been changed to "... if desired **be** a curvilinear profile"